

**MARQUIS & AURBACH**

10001 Park Run Drive  
Las Vegas, Nevada 89145  
(702) 382-0711 FAX: (702) 382-5816

1 **Marquis & Aurbach**  
Jay Young, Esq.  
2 Nevada Bar No. 5562  
David T. Duncan, Esq.  
3 Nevada Bar No. 9546  
10001 Park Run Drive  
4 Las Vegas, Nevada 89145  
Telephone: (702) 382-0711  
5 Facsimile: (702) 382-5816  
[j@marquisaurbach.com](mailto:j@marquisaurbach.com)  
6 [dduncan@marquisaurbach.com](mailto:dduncan@marquisaurbach.com)

Attorneys for Plaintiff/Counter-Defendants

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

9 ULTRA INTERNET MEDIA, S.A., a company  
10 organized under the laws of Nevis, West Indies;  
11 and GIGAMEDIA LIMITED, a company  
12 organized under the laws of the Republic of  
China (Taiwan); and DOES 1-10,

13 Plaintiff/Counter-Defendants,

14 v.

15 HARRAH'S LICENSE COMPANY, LLC, a  
Nevada limited liability company; and  
16 HARRAH'S INTERACTIVE  
17 ENTERTAINMENT, INC., a Delaware  
corporation,

18 Defendants/Counterclaimants.

19 EVEREST GAMING LIMITED,

20 Plaintiff,

21 v.

22 HARRAH'S INTERACTIVE  
23 ENTERTAINMENT, INC.; and HARRAH'S  
LICENSE COMPANY, LLC,

24 Defendants.

Consolidated Base Case File No.: 2:10-cv-  
00455-JCM-RJJ

(consolidated with Case No.: 2:10-cv-00607-  
JCM-RJJ)

(consolidated w/ Case No.: 2:10-cv-00904-  
JCM-LRL)RJJ

**ORDER DENYING EVEREST GAMING  
LIMITED'S MOTION FOR  
PRELIMINARY INJUNCTION**

25 This matter came before the Court on August 12, 2010 for the hearing on Everest Gaming  
26 Limited's ("Everest") Motion for Preliminary Injunction (the "Motion for PI") (Everest Gaming  
27 Lawsuit Docket No. 4). At the hearing, Everest appeared and was represented by Jay Young,  
28

MARQUIS &amp; AURBACH

10001 Park Run Drive  
Las Vegas, Nevada 89145  
(702) 382-0711 FAX: (702) 382-5816

1 Esq. and David T. Duncan, Esq. of the law firm of Marquis & Aurbach, and by Timothy J. Kelly,  
2 Esq. and Ralph A. Dengler, Esq. of the law firm of Fitzpatrick, Cella, Harper & Scinto. Harrah's  
3 License Company, LLC ("HLC") and Harrah's Interactive Entertainment, Inc. ("HIE") (and  
4 collectively, "Harrah's") appeared and were represented by James D. Boyle, Esq. and the law  
5 firm of Santoro, Driggs, Walch, Kearney, Holley & Thompson.

6 Having reviewed the papers submitted in support of and in opposition to the Motion for  
7 PI, and having heard the oral argument of counsel, the Court denies the Motion. Harrah's uses of  
8 the mark EVEREST POKER in association with the 2010 World Series of Poker are only  
9 potentially improper or infringing of Everest's rights, title and interest in and to said mark if the  
10 Promotional Agreement was effectively terminated. The Court cannot conclude that either party  
11 is likely to succeed on the merits of demonstrating that the Promotional Agreement by and  
12 between Harrah's and Ultra Internet Media, S.A. ("UIM") was effectively terminated or not."  
13 THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED that Everest Gaming  
14 Limited's Motion for Preliminary Injunction is DENIED.

15 DATED: August <sup>20</sup>\_\_\_\_, 2010.

16   
17 \_\_\_\_\_  
18 UNITED STATES DISTRICT JUDGE  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28